

### **REMARKS**

Prior to entry of this paper, Claims 1-39 were pending. Claims 1-39 were rejected. In this paper, Claims 1, 12, 18, 25, 28, 31, and 37 are amended. No claims are canceled or added. Claims 1-39 are currently pending. No new matter is added by way of this amendment. For at least the following reasons, Applicants' attorney respectfully submits that each of the presently pending claims is in condition for allowance.

#### **Claim Rejections – 35 U.S.C. §102**

The Office Action rejected claims 1-39 under 35 U.S.C. §102(e) as being anticipated by Albert et al. (U.S. Patent Application Publication No. 2003/0177389, hereinafter "Albert"). Applicants' attorney respectfully traverses these rejections.

It is respectfully noted that the Office Action does not specifically address any of the arguments presented by the applicants' attorney in response to the prior Office Action, dated 18-March-2008. Applicants' attorney respectfully submits that the previously presented arguments by the applicants' attorney show strong distinctions between the cited reference and the claimed invention.

Nevertheless, without conceding to the merits of the Office Action's rejections and in order to expedite prosecution, independent Claim 1 is amended to recite, *inter alia*:

a transceiver arranged to receive a request for access to the resource from a client device; and  
an integrity management component, external to the client device, that is arranged to perform actions, including:  
providing a component to the client device;  
employing the component to gather integrity information associated with a configuration of the client device at a plurality of times;  
applying a dynamic policy for access to the resource based, in part, on the forwarded integrity information. (Emphasis added.)

Albert does not disclose "an integrity management component, external to the client device ..., applying a dynamic policy for access to the resource", as recited in amended Claim 1. Albert discloses a method "for a computer system or device to apply a security policy required for connection to a network" (see FIG. 3; ¶ 0025.) A security policy applied at the client device end by the client device is in contrast to a policy outside the client device (for example, at the

server end) applied by the integrity management component, as recited in amended Claim 1. From Albert's disclosures (for example, see ¶¶ 0072, 0074, and 0076), it is clear that security policies are handled at the client device by components resident on the client device, as noted above. This is in contrast to "an integrity management component, external to the client device,..., applying a dynamic policy for access to the resource", as recited in amended Claim 1 (emphasis added.)

Additionally, the security policies disclosed by Albert are directed to making a connection between the client device and the server. This is in contrast to the integrity information that is associated with the configuration of the client device for accessing a network resource after the connection has already been made. Therefore, amended Claim 1 is submitted to be allowable for at least the reasons discussed above.

Claims 2-11 depend from amended Claim 1 and are submitted to be allowable for at least the reasons discussed above with respect to amended Claim 1.

Amended Claim 12 recites, *inter alia*:

receiving a request for access to the resource from a client device; ...  
and performing a response based, in part, on a difference between the first  
integrity information and the second integrity information (emphasis  
added.)

Albert does not disclose "receiving a request for access to the resource, ..., and performing a response ...." In contrast, Albert discloses a system where a security policy is applied at the device itself for connection to the network, without a request-response transaction. This is in contrast to performing a response (for example, at the server end) distinct from the request for a resource made by the client device. Therefore, amended Claim 12 is submitted to be allowable for at least the reasons discussed above.

Claims 13-17 depend from amended Claim 12 and are submitted to be allowable for at least the reasons discussed above with respect to amended Claim 12.

Amended Claim 18 recites substantially similar, albeit different, features as amended Claim 12, and is submitted to be allowable for at least the reasons discussed above with respect to amended Claim 12.

Claims 19-24 depend from amended Claim 18 and are submitted to be allowable for at least the reasons discussed above with respect to amended Claim 18.

Amended Claim 25 recites substantially similar, albeit different, features as amended Claim 1, and is submitted to be allowable for at least the reasons discussed above with respect to amended Claim 1.

Claims 26 and 27 depend from Claim 25 and are submitted to be allowable for at least the reasons discussed above with respect to Claim 25.

Claim 28 has been amended to further clarify claim language without narrowing the scope of the claim. Amended Claims 28 and 31 recite substantially similar, albeit different, features as amended Claims 1, 12, and 25, and are submitted to be allowable for at least the reasons discussed above with respect to amended Claims 1, 12, and 25.

Claims 29 and 30, and Claims 32-36 depend from Claims 28 and 31, respectively, and are submitted to be allowable for at least the reasons discussed above with respect to Claims 28 and 31.

Amended Claim 37 recites substantially similar, albeit different, features as amended Claim 1 and is submitted to be allowable for at least the reasons discussed above with respect to amended Claim 1.

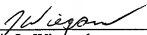
Claims 38 and 39 depend from Claim 37 and are submitted to be allowable for at least the reasons discussed above with respect to Claim 37.

**CONCLUSION**

It is respectfully submitted that each of the presently pending claims (Claims 1-39) is in condition for allowance and notification to that effect is requested. Examiner is invited to contact the Applicants' representative at the below-listed telephone number if it is believed that the prosecution of this application may be assisted thereby. Although only certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentable. Applicant reserves the right to raise these arguments in the future.

Dated: January 19, 2009

Respectfully submitted,

By   
Jamie L. Wiegand  
Registration No.: 52,361  
DARBY & DARBY P.C.  
P.O. Box 770  
Church Street Station  
New York, New York 10008-0770  
(206) 262-8915  
(212) 527-7701 (Fax)  
Attorneys/Agents For Applicant